

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No.03-11173
Non-Argument Calendar

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
August 4, 2005
THOMAS K. KAHN
CLERK

D.C. Docket No. 00-00060-CR-FTM-29-DNF

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ZNOP BYX VMON,
a.k.a Russell Lee Slack,

Defendant-Appellant.

Appeal from the United States District Court for the
Middle District of Florida

(August 4, 2005)

**ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES**

Before CARNES, HULL and KRAVITCH, Circuit Judges.

PER CURIAM:

Znop Byx Vmon was convicted of knowingly making false statements to a licensed firearms dealer in connection with attempts to purchase firearms, in violation of 18 U.S.C. § 922(a)(6) and sentenced to 70 months imprisonment. We affirmed his conviction on direct appeal, in which Vmon raised a constitutional challenge to his convictions under Blakely v. Washington, 542 U.S. —, 124 S.Ct. 2531, 159 L.Ed.2d 403 (2004), for the first time in his reply brief. Vmon petitioned the Supreme Court for certiorari, which the Court granted, vacating and remanding the case to us for reconsideration in light of United States v. Booker, 543 U.S. —, 125 S.Ct. 738, 160 L.Ed.2d 621 (2005).

This court does not consider issues raised for the first time in a reply brief, and this rule applies to Booker challenges. See United States v. Day, 405 F.3d 1293, 1294 n.1 (11th Cir. 2005); United States v. Dockery, 401 F.3d 1261, 2005 WL 487735 (11th Cir. 2005); United States v. Levy, 2005 WL 1620719 (11th Cir. July 12, 2005). Accordingly, we AFFIRM.